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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
08/646,520	05/07/96	WOLFINBARGER JR.	L	152.116/SHK

33M1/0709

EXAMINER BLYVEIS, D

KLIMA & HOPKINS CRYSTAL PLAZA ONE SUITE 905 2001 JEFFERSON DAVIS HIGHWAY ARLINGTON VA 22202-3603

ART UNIT PAPER NUMBER

DATE MAILED:

07/09/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Office Action Summary

Application No.

08/646,520

Applicant(s)

Wolfinbarger, Jr.

Examiner

Deborah Blyveis

Group Art Unit 3306



Responsive to communication(s) filed on	·			
☐ This action is FINAL .				
☐ Since this application is in condition for allowance except for formal m in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11				
A shortened statutory period for response to this action is set to expire is longer, from the mailing date of this communication. Failure to response application to become abandoned. (35 U.S.C. § 133). Extensions of time 37 CFR 1.136(a).	d within the period for response will cause the			
Disposition of Claims				
X Claim(s) 1-27	is/are pending in the application.			
Of the above, claim(s)	is/are withdrawn from consideration.			
Claim(s)	is/are allowed.			
X Claim(s) 1-10, 12-15, 17, 18, and 21	is/are rejected.			
X Claim(s) 11, 16, 19, 20, and 22-27	is/are objected to.			
☐ Claims are subject to restriction or election requirement.				
 ☒ See the attached Notice of Draftsperson's Patent Drawing Review, ☐ The drawing(s) filed on	the Examiner. U.S.C. § 119(a)-(d). Tity documents have been Onal Bureau (PCT Rule 17.2(a)).			
Attachment(s) X Notice of References Cited, PTO-892 X Information Disclosure Statement(s), PTO-1449, Paper No(s). Interview Summary, PTO-413 X Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152	<u>5</u>			
SEE OFFICE ACTION ON THE FOLLO	OWING PAGES			

Serial Number: 08/646,520

Art Unit:

Claim Objections

1. Claims 11, 20, 22, and 23 are objected to under 37 CFR 1.75© as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim.

See MPEP § 608.01(n). Accordingly, the claims not been further treated on the merits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
- 3. Claims 1, 3, 5-7, 9, 10, 12, 13 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Morse et al ('626').

Morse et al. discloses a method for removing bone marrow whereby a high pressure solvent is introduced into the bone that inactivates bacteria, fungi, virus, and parasites, see ex. 5.

4. Claims 1, 3-6, 8, 14-15, and 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Morse et al. ('662').

Morse et al. discloses a method whereby negative pressure is applied in a vacuum at less than atmospheric pressure to remove bone marrow, see ex. 7, 8 and abstract. This method decreases initial viral and bacterial particles by applying a bacteriocidal and viricidal agent.

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Art Unit:

Allowable Subject Matter

5. Claims 16, 19, and 24-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

- 6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Knaepler et al., Mueller-Glauser et al., Myers et al., Kaplan, and Czarniecki et al. disclose analogous an analogous devices.
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah Blyveis whose telephone number is (703) 308-2110.

CORRINE M. MCDERMOTT PRIMARY EXAMINER GROUP 3300

in M. MoDu

d.b. 03 7/1/97